

281—31.3(299) Duties of licensed practitioners.

31.3(1) *Licensing requirements.* A person who provides instruction to or instructional supervision of a student receiving competent private instruction shall be either the student's parent, guardian, or legal custodian or a person who possesses a valid Iowa teaching certificate or practitioner license which is appropriate to the age and grade level of the student under competent private instruction.

31.3(2) *Duties.* The duties of a certificated or licensed teacher practitioner who instructs or provides instructional supervision of a student shall include the following:

a. Contact with the student and the student's parent, guardian, or legal custodian at least twice per 45 days of instruction, during which time the teacher practitioner fulfills the duties described below. One of every two contacts shall be face-to-face with the student under competent private instruction.

However, if the instruction or instructional supervision is provided by a public or accredited nonpublic school in the form of a home school assistance program, the teacher practitioner shall have contact with the child and the child's parent, guardian, or legal custodian at least four times per quarter during the period of instruction. One of every two contacts shall be face-to-face with the student under competent private instruction.

b. Consulting with and advising the student's parent, guardian, or legal custodian with respect to the following during the course of the year's visits:

- (1) Lesson plans;
- (2) Textbook and supplementary materials;
- (3) Setting educational goals and objectives;
- (4) Teaching and learning techniques;
- (5) Forms of assessment and evaluation of student learning;
- (6) Diagnosing student strengths and weaknesses;
- (7) Interpretation of test results;
- (8) Planning;
- (9) Record keeping; and
- (10) Other duties as requested or agreed upon.

c. Providing formal and informal assessments of the student's progress to the student and the student's parent, guardian, or legal custodian.

d. Annually maintaining a diary, record, or log of visitations and assistance provided.

e. Referring to the child's district of residence for evaluation a child who the practitioner has reason to believe may be in need of special education.

31.3(3) *Limitations.* A licensed Iowa practitioner who is employed or agrees to provide instruction or instructional supervision of programs of competent private instruction shall not serve in that capacity on behalf of more than 25 families, or more than 50 children of compulsory attendance age, in an academic year unless the service is provided pursuant to the teacher's employment with a nonaccredited nonpublic school.

A licensed Iowa practitioner who is employed by a public or accredited nonpublic school to provide instruction or instructional supervision through a home school assistance program, as defined in subrule 31.4(5), shall not serve in that capacity on behalf of more than 20 families, or more than 40 children of compulsory attendance age, in an academic year.

A licensed practitioner or authorities in charge of a public or accredited private school may seek exemption from the above limitation by submitting a written request to the director of education. Exemptions shall be granted when the director is satisfied that the limitation will pose a substantial hardship on the person or the school providing instruction or instructional supervision, and that the best interests of all children being served by the practitioner or school will continue to be met.